

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
HOLLISTER FIELD OFFICE**

**ENVIRONMENTAL ASSESSMENT
DOI-BLM-CA-0900-2009-023-EA
FLTFA Lands Sale (Portuguese Canyon)**

DATE INITIATED: October 1, 2008

CONTROL NUMBER: DOI-BLM-CA-0900-2009-023-EA

CASE FILE/SERIAL NUMBER: CACA 50168-14

PROPONENT: BLM

PROJECT: FLTFA Lands Sale (Portuguese Canyon)

LOCATION: Portuguese Canyon, Monterey County

AFFECTED ACREAGE: 40 acres

USGS 7.5' QUADRANGLE: Valleton

LAND STATUS: Public

SPECIAL DESIGNATION AREA: NA

AUTHORITY: Federal Land Management and Policy Act (FLPMA),
Federal Land Transactions Facilitation Act (FLTFA)

LAND USE PLAN CONFORMANCE:

The proposed action is subject to and in conformance with the Hollister Resource Management Plan of 2007 in accordance with Title 43 Code of Federal Regulations 1610.5-3. The management plan provides “the goal for lands and realty management is to provide lands, interests in land, and authorizations for public and private uses while maintaining and improving resource values and public land administration.”

To achieve the goal for lands and realty management, the following objectives are established:

- Make public land available for disposal that meets the disposal criteria contained in Section 203(a) of the FLPMA;

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The Hollister Field Office administers approximately 284,000 acres of Bureau of Land Management (BLM) public lands, primarily located in Monterey, San Benito, and western Fresno counties. Many of the other public lands managed by the Hollister Field Office in San Mateo, Santa Clara, Santa Cruz, Alameda, Contra Costa, Stanislaus, and Merced counties consist of small, scattered parcels with little to no public access and are commonly used for unauthorized activities such as illegal dumping, illicit drug operations, and some limited non-motorized recreational opportunities (i.e. hunting, target shooting, etc.).

In 2007, the Bureau of Land Management (BLM) approved the Record of Decision (ROD) for the Hollister Resource Management Plan (RMP) providing guidance for management of public lands administered by the Hollister Field Office. The RMP identified the need to pursue land tenure adjustments to ensure more efficient management of the public lands, to reduce conflicts with other public and private landowners, and to provide more consistency and logic in land use patterns within the Hollister Resource Area. As a result, the 2007 ROD identifies a total of approximately 46,500 acres of public lands for disposal in Section 3.12.2. Figures 22-27 in the 2007 ROD show where these parcels are located.

The 2007 ROD also directs BLM to acquire lands with high resource values, including biological resources and recreation opportunities, especially in special management areas, including wilderness study area (WSAs) and Areas of Critical Environmental Concern (ACECs). Other management actions, including LTEN-C5, LTEN-C6, & LTEN-C7 (ROD, pg. 3-37), describe stipulations for public lands available for disposal and other provisions for acquiring lands from willing sellers to enhance management efficiency or to contribute to the fulfillment of resource management goals and objectives.

RELATIONSHIP TO OTHER PLANS, PROGRAMS, AND POLICIES

On July 25, 2000, Congress passed the Federal Land Transaction Facilitation Act (FLTFA), which authorized the Secretary of the Interior and the Secretary of Agriculture to retain a percentage of the funds received from land sales to use to purchase private lands in federally designated areas. The BLM is considering a number of lands sales in the Hollister Field Area to implement the RMP and raise funds to acquire land as authorized by FLTFA.

This environmental assessment addresses the proposed sale of 40 acres located T.23S., R.12E., Sec. 18, NESW.

CONSISTENCY WITH LOCAL ZONING AND GENERAL PLAN:

Correspondence was submitted to the County offices on October 14, 2008 and no adverse comments were received concerning any planning or zoning issues.

PURPOSE AND NEED FOR PROPOSED ACTION:

The purpose of the proposed action is to transfer small parcels of public lands into private ownership and to generate funds pursuant to the Federal Land Transactions Facilitation Act (FLTFA). The proposed action is needed to dispose of lands which are difficult and uneconomic to manage as part of the public lands. There is no public access or administrative access to the parcel that is isolated from other BLM public lands. Also, the existing available funds in the FLTFA land disposal accounts are not sufficient to purchase lands that have been nominated for acquisition in California, so funds from the sale are needed to purchase lands nominated for acquisition pursuant to FLTFA.

The sale would implement a major goal of the RMP, to improve management of public lands, by disposing of scattered parcels while potentially raising funds which could be used to acquire lands in areas where Federal management for recreation and resource enhancement is appropriate.

RANGE OF ALTERNATIVES:

Alternative 1: Proposed Action

The proposed action is a direct sale of an approximately 40 acre public land parcel described as: T. 23 S., R. 12 E., Sec. 18, NESW, MDM. Maps of the parcel proposed for sale are attached to the end of this EA.

The parcel is proposed to be sold to the property owner that owns all the lands surrounding the parcel. Tony Lombardo would purchase the “in-holding” parcel from the United States (U.S.) for not less than \$25,000, which is the appraised fair market value of the land. The sale would include the conveyance of both the surface and mineral estate, although the U.S. would retain reservation for ditches and canals.

Alternative 2: Current Management (No Action)

Under the no action alternative, the proposed sale would not occur and the parcel would be retained in federal ownership for the foreseeable future. Funds would not be generated from the sale for the Federal Land Disposal Account pursuant to the FLTFA. Existing management and use of the site would continue subject to applicable statutes, regulations, policy and land use plans.

The Federal land parcel would continue to be available for disposal as directed, in the RMP. Other sales or exchange opportunities would be considered in order to benefit acquisition of private property within a designated managed unit identified in the RMP. The Federal lands would be re-opened to the location of mining claims and locatable mineral development (subject to appropriate BLM regulations for administration of the 1872 General Mining Law).

Alternatives Considered but not Analyzed in Detail:

BLM considered other public lands in Monterey County for possible sale. In evaluating other public lands for possible sale, the BLM considered such factors as conformance with the Hollister RMP, expected land values, market interest, physical and legal access, existing resource issues and information and management efficiencies. Ultimately the public lands BLM is proposing for sale at this time were selected for the following reasons: 1) the lands were identified for disposal in the 1984 Hollister RMP and remain available for sale under the 2007 Hollister RMP revision, 2) existing resource information indicated the lands had no important resource values, and 3) the lands had no physical or legal public access. BLM may in the future consider other public lands for sale that were not considered in detail in this environmental assessment.

BLM also considered a competitive bid sale for this parcel. The competitive bid sale was ultimately not considered based on the lack of public interest.

At this time, BLM believes a direct sale is the best way to achieve BLM's management objectives and, based on the lack of public interest, BLM does not believe competitive bid sale for the public lands described above is an alternative requiring further consideration.

AFFECTED ENVIRONMENT

Affected Critical Element	Yes	No	Affected Critical Element	Yes	No
Air Quality		X	Native American Values		X
ACEC/RNA		X	Special Status Species		X
Cultural Resources		X	Vegetation		X
Environmental Justice		X	Wastes, Hazardous/Solid		X
Farmlands, Prime/Unique		X	Water Quality (ground/surface)		X
Fish and Wildlife		X	Wetlands/Riparian Zones		X
Floodplains		X	Wild & Scenic Rivers		X

Affected Critical Element	Yes	No	Affected Critical Element	Yes	No
Invasive Weeds		X	Wilderness		X

The following elements of the human environment, subject to review specified in statute, regulation or executive order, are not located within the project area: Ecologically Critical Area, Floodplains, Prime or Unique Farm Lands, Wetlands and Riparian Zones, and Wild and Scenic Rivers, Wilderness, or Areas of Critical Environmental Concern (ACEC).

Lands & Realty

There is no public access or BLM-administrative access to the “inholding” parcel proposed for sale. During the preparation of this EA, the surrounding landowner informed BLM that approximately 14 acres (~35%) of the parcel had been disked and planted for dryland agricultural use to cultivate barley in 2004 and 2007. He also reported that the same lands have been maintained for livestock grazing and agricultural use, associated with the surrounding private lands for nearly a century. The parcel has also been open to hunting and all these uses would likely continue as a result of the land sale.

Air Quality

The proposed land sale is located within the North Central Coast Air Basin. The North Central Coast Air Basin is comprised of a single air district, the Monterey Bay Unified APCD, and consists of Santa Cruz, San Benito, and Monterey Counties. The entire air basin currently violates both the State 24-hour and the annual average PM10 standards. However, the air basin is designated as attainment for the State PM2.5 annual average standard.

Water Quality

There are no perennial or intermittent surface water flows on the parcel being considered for disposal. Due to the size of the parcel (40 ac.), and the lack of surface water flow, contributions to groundwater resources within the watershed are negligible.

Soils

Soil series (Cook 1978) within the parcel include the following:

Soil series	Slope	Erosion Hazard	Unit	Soil survey
Linne silty clay loam	15-30%	Moderate	LaE	Monterey County, 1978

Soil series	Slope	Erosion Hazard	Unit	Soil survey
Linne-Shedd silty clay loam	50-75%	Very high	LcG2	Monterey County, 1978
Lockwood shaly loam	2-9%	Slight-Moderate	LeC	Monterey County, 1978
Nacimientto - Los Osos complex	30-50%	High	NbF	Monterey County, 1978
Nacimientto - Los Osos complex	50-75%	High	NbG	Monterey County, 1978
Nacimientto silty clay loam	15-30%	Moderate	NaE	Monterey County, 1978
Shedd silty clay loam	30-50%	High	SnF2	Monterey County, 1978

Slope on much of the parcel is steep, but well-vegetated. Most soils on the parcel have a moderate to very high erosion hazard.

Biological Resources

Fish and Wildlife

The site is located in Portuguese Canyon, a tributary of the Salinas River Valley. Terrestrial wildlife species typical of oak woodland/grassland habitats in the California inner coastal ranges are expected on the site, including Columbia black tailed deer (*Odocoileus hemionis*), red-tailed hawk (*Buteo jamaicensis*), mountain lion (*Puma concolor*), coyote (*Canis latrans*) and various small mammals, songbirds, reptiles, and insects. No aquatic habitat is present on the site except for extremely ephemeral, steep drainages so fish are not expected.

Vegetation

The Portuguese Canyon parcel contains five primary vegetation series including California annual grassland, blue oak, California sage, black sage, and California buckwheat (Sawyer and Keeler-Wolf 1995). California annual grassland and blue oak vegetation series are dominant. California sage, black sage, and California buckwheat are minor and consist of relatively small patches.

Special Status Species

According to the California Natural Diversity Database (CNDDDB), no listed plant species are known to exist on the Portuguese Canyon parcel. No listed plant species were observed on the parcel during the site visit in spring. A record of CNPS list 1B Indian Valley bush mallow (*Malacothamnus aboriginum*) exists for a private parcel approximately 0.8 mile east of Portuguese Canyon. No Indian Valley bush mallow or other CNPS list 1B plant species were observed on the parcel during the site visit.

California condor may fly over the site occasionally and may land if carrion is available. Although the parcel is within the ranges of California red-legged frog (*Rana draytonii*) (RLF) and California tiger salamander (*Ambystoma californiense*) (CTS) no localities are known within 10km of the site and no habitat is known to be available on or near the site. The California Natural Diversity Database contains some older records for San Joaquin kit fox (*Vulpes macrotis mutica*) (SJKF) near the flatlands of the Salinas Valley approximately 10km from the site, but the steep terrain of the site is likely poor habitat for the fox.

Noxious and Invasive Plants

Typical invasive grass species and forbs found within the California annual grassland include ripgut brome (*Bromus diandrus*), red brome (*Bromus madritensis*), soft chess (*Bromus hordeaceus*), filaree (*Erodium* sp.), and yellow starthistle (*Centaurea solstitialis*).

Cultural Resources and Native American Values

Expected cultural resource types in this region are prehistoric habitation sites attributed to the Salinan California Indians or historic homestead/ranching sites from the 19th and early 20th centuries. There are no known Native American values associated with this particular parcel.

Environmental Justice

No minority or low income communities are associated (directly or indirectly) with the public land parcels proposed for sale.

Energy & Minerals

The BLM's Hollister Field Office prepared a Mineral Potential Report to determine the occurrence and development potential of leasable, salable and locatable minerals for all public lands in Monterey County being considered for the disposal of surface & subsurface ("full estate") federal interests under the Federal Land Transaction Facilitation Act (FLTFA) Land sale.

Hazardous or Solid Wastes

An Environmental Preliminary Analysis was completed on December 1, 2009 by Hollister Field Staff. No evidence of "recognized environmental conditions" (RECs) was discovered.

ENVIRONMENTAL CONSEQUENCES:

Alternative 1: Proposed Action

Lands & Realty

The proposed action would provide minor long-term benefits BLM's lands and realty program because it would allow the Hollister Field Office to dispose of a scattered parcel that is difficult and uneconomic to manage as part of the public lands and because the existing available funds in the FLTFA land disposal are not sufficient to purchase lands that have been nominated for acquisition in California. The proposed land sale would also implement a major goal of the RMP, to improve management of public lands, and potentially raising funds which could be used to acquire lands in areas where Federal management for recreation and resource enhancement is appropriate.

Air Quality

There would be no direct impacts to air quality from the proposed sale of public lands because no emissions would be generated by the proposed action. Indirect impacts to air quality from development and use of the parcel would be negligible due to the relatively small-size and remote location of the public lands being considered for disposal.

Surface and Ground Water Quality

There would be no direct impacts to water quality from the proposed sale of public lands because there are no rivers or stream segments on the property. Indirect impacts to water quality from development and use of the parcel would be negligible due to the relatively small-size and remote location of the public lands being considered for disposal.

Soils

The proposed action would likely result in direct impacts to soils on 14 acres of the parcel which have been under cultivation as recently as 2007. The size of the cultivated area is not likely to increase because it already includes all of the public land suitable for cultivation on the parcel. Minor negative impacts to soils from livestock grazing may also occur as a result of the proposed action. However, the changes to existing conditions from the proposed action would be negligible because these uses have been occurring for decades.

Biological Resources

Fish and Wildlife

There would be negligible effects to wildlife resources compared to existing conditions, because current uses of the parcel are likely to continue into the foreseeable future.

Vegetation

There would be negligible effects to vegetation resources compared to existing conditions, because current uses of the parcel are likely to continue into the foreseeable future. Therefore, no changes in vegetation are expected as a result of the land sale.

Special Status Species

Due to the absence of federally-listed species on or near the site and the reasonably foreseeable future use of the property, the proposed action would have no adverse effects on special status species that occur in the region when compared to the existing conditions.

Funds generated from the sale of the public lands would be available for future acquisitions of lands from willing sellers to preserve high quality habitat for special status species. Therefore, the proposed action would have minor indirect beneficial impacts on special status species and their habitat.

Noxious and Invasive Plants

Foreseeable uses of the land are not expected to increase introductions of noxious and invasive plant species when compared to the existing conditions.

Cultural Resources and Native American Values

There are no known archeological or cultural resources within the Area of Potential Affect (APE). The Proposed Action for would not adversely affect archeological, cultural, or Native American values.

Environmental Justice

The proposed action would not result in disproportionately high or adverse human health or environmental effects on low-income or minority communities.

Hazardous or Solid Wastes

Due to the absence of any hazardous or solid wastes from the site, no impacts would be expected from the land sale.

MITIGATION MEASURES

No mitigation measures have been identified.

Alternative 2: No Action

Under the no action alternative, the public land would be retained in public ownership, but it would still be available for disposal in conformance with the Hollister RMP (2007). BLM management of the “inholding” parcel would be custodial only because there is no reasonably foreseeable opportunity to acquire administrative or public access to the scattered parcel. Funds from the sale would not be placed in the FLTFA land disposal account and Monterey County tax base would not benefit from the transfer of these lands.

CUMULATIVE IMPACTS

Cumulative impacts are those impacts on the environment which result “from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions.” (40 CFR 1508.7). In this case, past and presently on-going actions and activities in the project vicinity include:

BLM is considering a number of lands sales in the administrative boundary of the Hollister Field Office under the FLTFA. Specifically, the Hollister Field Office is considering 15 parcels of land for disposal that total 528.96 acres of public lands that would potentially be sold through competitive bid or direct sale

The Final EIS (2007) for the Hollister RMP anticipates that recreation use and energy development in southern Monterey County may have minor cumulative effects on air quality in addition to the effects of private development and use of the parcel being considered for disposal.

In terms of federal projects, the BLM may pursue future oil and gas leasing of parcels for energy development in the region. Although the development of oil and gas leases on public lands are not reasonably foreseeable at this time, it is probably reasonable to assume that some energy development would occur in the existing oil fields (i.e. San Ardo), which could have cumulative effects from construction activities that would temporarily adversely affect air quality in the area.

In analyzing cumulative impacts, BLM considered existing environmental information as a relevant baseline for considering future impacts and has not attempted to list past actions in the area. The baseline information identified in the affected environment (above) is considered sufficient for determining the significance of cumulative effects and for making a reasoned choice between alternatives.

BLM has also not attempted to exhaustively list all present and reasonably foreseeable private actions, but has considered a summary of planned development from Monterey County’s General Plan Update (2003). The parcel proposed for sale is in the “South County” area and the impacts of the proposed sale are primarily relevant or important only within this region.

The appropriate geographic area for considering cumulative effects is based on whether the incremental impacts of the proposed sale would be felt locally, regionally or nationally. The incremental impact of increased water usage, although difficult to quantify, would also most likely be limited to the Salinas Valley Groundwater Basin. Incremental impacts to biological resources would be negligible because the existing condition of the parcel would remain unchanged. The incremental impacts on aesthetics/visual resources would also be negligible because the existing condition of the parcel would remain unchanged.

The Final EIS (2006) determined cumulative impacts from management of lands and realty are limited to indirect on-the-ground impacts on other resources such as aesthetics, water quality, and biological resources that would occur as a result of land use authorizations. These impacts, combined with impacts from previous land acquisitions and improvements as well as the existing land uses and impacts, would cause localized and permanent cumulative impacts on those resources. These impacts are described in each respective resource section of Chapter 4.

Funds generated from the sale of the public lands would be available for future acquisitions of lands from willing sellers to support the goals and objectives outlined in the Hollister RMP (2007). Therefore, it is reasonably foreseeable that the proposed action would lead to future acquisitions that would off-set the reduction of public land acres as a result of disposal and even potentially lead to an increase in the amount public lands in the Hollister Resources Area.

Potential off-site impacts, if any, are expected to be minor and would largely depend on the public lands disposals and acquisitions carried through. For example, acquisitions of areas with high recreation potential could result in off-site impacts on local access roads. Additionally, land use authorizations, including communications, utility corridors, and energy development, could also result in off-site impacts on local access roads.

Overall, these land tenure adjustments would have a long-term beneficial effect on BLM's lands and realty program because they would promote management efficiency and improve opportunities for multiple use management of public lands.

REFERENCES

- Cook, T.D. 1978. Soil survey of Monterey County, California. United States Department of Agriculture, Soil Conservation Service, Sacramento, California, USA. 228 pp. + Appendix.
- Sawyer, J. O., and T. Keeler-Wolf. 1995. A manual of California vegetation. California Native Plant Society. Sacramento, California, USA. 471 pp.

CONSULTATION

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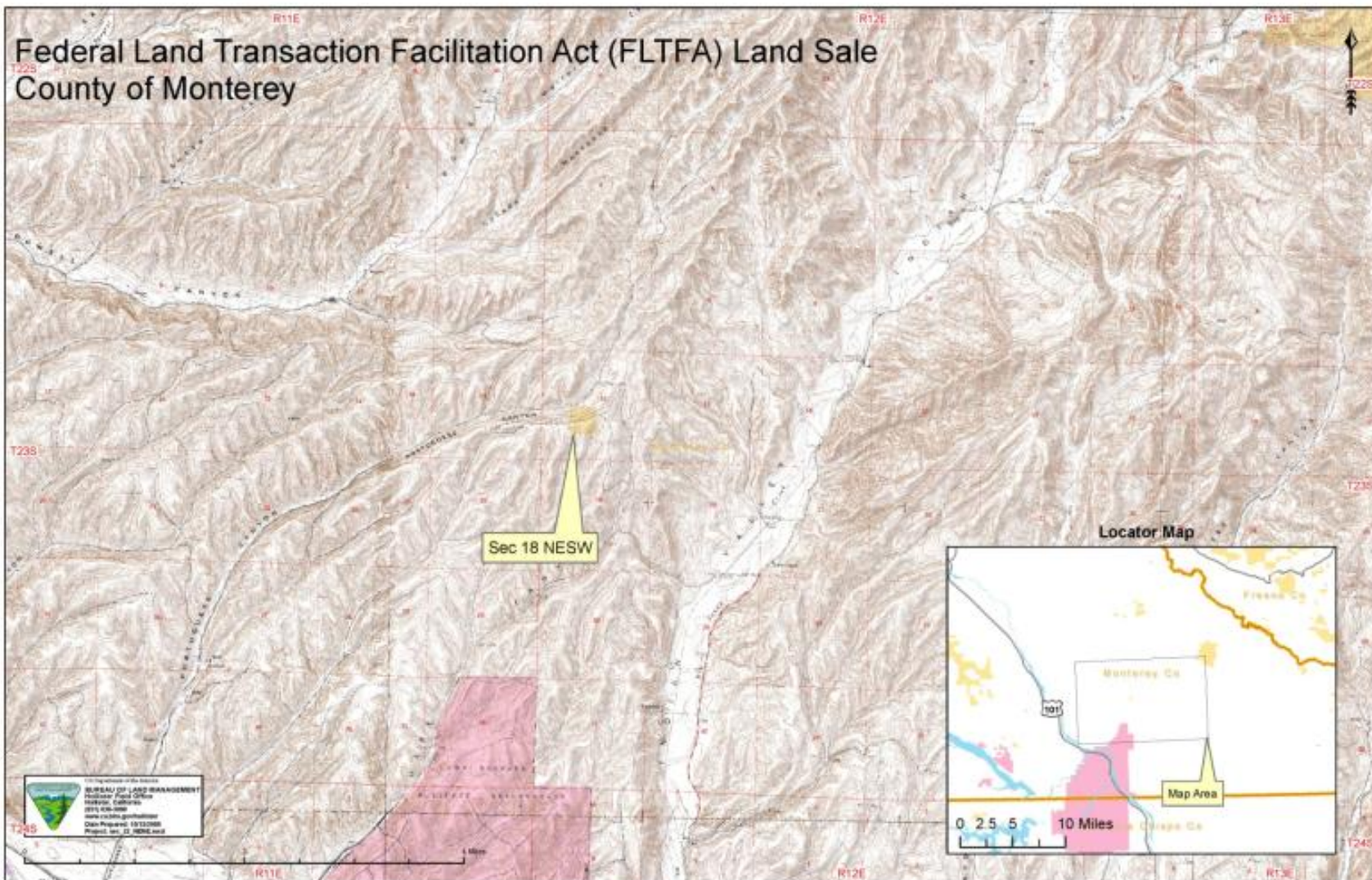
NOTIFICATION

Notification of the proposed action and analysis has been posted on the Hollister Field Office NEPA web page during its undertaking.

DOCUMENT REVIEW

Planning and Environmental Coordinator

Date



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